

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 15-00221-01-CR-W-DGK
)	
TERESA OWEN,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on September 6, 2016. Defendant Owen appeared in person and with Bob Kuchar. The United States of America appeared by Assistant United States Attorney Alison Dunning.

I. BACKGROUND

On July 7, 2015, an indictment was returned charging Defendant with murder for hire, in violation of 18 U.S.C. § 1958.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Ms. Dunning announced that she will be the trial counsel for the government. AUSA Brad Kavanaugh and Independence, Missouri Police Department Officer Justin English will assist.

Mr. Kuchar announced that he will be the trial counsel for Defendant Owen; Mark Wolpink, investigator, and Stephanie Elliot, paralegal, will also be seated at counsel table.

III. OUTSTANDING MOTIONS

Defendant's motion for a subpoena (Doc. No. 34) is currently pending.

IV. TRIAL WITNESSES

Ms. Dunning announced that the government intends to call 8-9 witnesses without stipulations or 7 witnesses with stipulations during the trial.

Mr. Kuchar announced that Defendant Owen does not intend to call any witnesses during the trial. Defendant may testify.

V. TRIAL EXHIBITS

Ms. Dunning announced that the government will offer approximately 27 exhibits in evidence during the trial.

Mr. Kuchar announced that Defendant Owen will offer exhibits in evidence during the trial, depending on the court's ruling on the motions in limine.

VI. RULE 404(b) EVIDENCE

Ms. Dunning announced that the government will not offer 404(b) or res gestae evidence during the trial.

Mr. Kuchar announced that Defendant Owen will not offer 404(b) or res gestae evidence during the trial.

VII. DEFENSES

Mr. Kuchar announced that Defendant Owen will rely on the defense of general denial.

VIII. POSSIBLE DISPOSITION

Mr. Kuchar stated this case is definitely for trial.

Ms. Dunning stated the government had proposed a plea agreement to the defendant.

IX. STIPULATIONS

Stipulations are likely as to the foundation for tapes.

X. TRIAL TIME

Counsel were in agreement that this case will take 2-3 days to try.

XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed July 8, 2016, counsel for each party file and serve a list of exhibits he/she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by September 6, 2016;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, September 14, 2016;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, September 14, 2016. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That counsel for each party file all signed stipulations by or before noon, Wednesday, September 14, 2016;

That seven days before the trial date as reflected in the forthcoming trial letter, if there is not a scheduled change-of-plea hearing, the parties shall make available for the opposing party to inspect, copy or photograph (1) all premarked trial exhibits, (2) any written statements that will be used at trial, and (3) Rule 404(b) and res gestae evidence to be offered at trial.

XII. UNUSUAL QUESTIONS OF LAW

Motions in limine dealing with the officer's personnel record will likely be filed. There are no unusual questions of law.

XIII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on September 19, 2016. Defense counsel requests

the second week of the docket; the government does not object.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
September 6, 2016
cc: Mr. Kevin Lyon